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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FILED

MELVIN CENTENO

Plaintiff,

-vs-

WEXFORD HEALTH SOURCES, INC.,

Defendants.

Defendants.

JUL 21 2008

MB

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Case No. 08 C 2756

Judge James B. Zagel

Plaintiff's Motion for Leave to Amend the Complaint

The plaintiff Melvin Centeno, Pro Se, and pursuant to Federal Rule of Civil Procedure 15(a) moves for leave to amend his pro se Complaint and to file the proposed Amended Complaint he has submitted simultaneously as an attachment to this Motion.

This proposed Amended Complaint comports with this Court's prior ruling that plaintiff may proceed forward with his complaint against defendants and that once plaintiff has discovered the name of John Doe, then plaintiff could submit this Amended Complaint that will include the name of the defendant.

Wherefore, the plaintiff prays for leave to file the proposed Amended Complaint that accompanies this motion.



Melvin Centeno

Plaintiff, Pro Se

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MELVIN CENTENO,

Plaintiff,

-vs-

WEXFORD HEALTH SERVICES, INC.,  
Health Care Provider for  
Stateville C.C.;

PARTHA GHOSH, M.D., Medical  
Director of Stateville C.C. in  
his Official and Individual Capacity  
as Employee or Agent of Wexford  
Health Sources, Inc.;

C.A. VANCE, Medical Administrator  
of Stateville C.C. in her Official  
and Individual capacity and as  
Employee or Agent of Wexford Health  
Sources, Inc.;

VENITA WRIGHT, Assistant Warden of  
Operations (now Major) of Stateville  
C.C. in her Official Capacity and  
Individual capacity;

MICHAEL R. BORKOWSKY, Med Tech of  
Stateville C.C. in his Official and  
Individual capacity and as Employee  
or Agent of Wexford Health Sources,  
Inc.;

Defendants.

**RECEIVED**

JUL 21 2008

MB

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Case No. 08 C 2756

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## AMENDED COMPLAINT

### Nature of the case:

1. This is a Civil Rights case brought under 42 USC §1983 arising from the defendants crippling entrapment of the plaintiff, by deliberately denying urgently necessary surgery. Defendants have insidiously deprived plaintiff from achieving the mandated by specialists that have opined that plaintiff only course of remedy is reconstructive knee surgery.

### Jurisdiction and Venue:

2. The Complaint is brought under the provisions of 42 USC §1983. Jurisdiction is thus proper under the federal question provisions of the Judicial Code, 28 USC §1331.
3. All of the acts and events giving rise to the Complaint occurred in this federal judicial district. Venue is thus proper under the general provision of the Judicial Code, 28 USC §1391.

### Defendant:

4. The defendant Michael R. Borkowsky, Med Tech at Stateville C.C., was in charge of medical at unit in which plaintiff is housed, and by holding that position is the conduit that we have to go through in order to seek medical attention. Defendant has neglected to process numerous requests that I have submitted to see doctors at the institutions Health Care unit. The defendant has told plaintiff that he is god and can do whatever he wants.
5. Plaintiff has been told by staff and other witnesses that defendant has said that the H.C.U. are not going to spend any money on me to receive this expensive surgery, so I better stop submitting requests.
6. Defendant Borkowsky, despite repeated requests from plaintiff for adequate medical care, has intentionally, consciously, and with deliberate indifference, refused to allow the plaintiff to be seen by

H.C.U. personnel.

7. Defendant Borkowsky with knowledge of plaintiffs serious medical needs, and/or with deliberate indifference to such medical needs, acted or failed to act in such a manner so as to prevent plaintiff from obtaining needed medical treatment and care. Such acts of omissions by the defendant violated rights secured to plaintiff by the Eighth and Fourteenth Amendments of the United States Constitution.
8. As a direct result of the above-described unlawful and malicious acts of the defendant, plaintiff suffered and continues to suffer great physical injury, permanent, irreparable injury, and extreme pain in violation of the Eighth and Fourteenth Amendment of the United States Constitution. Needless to say the plaintiff has not been provided any medication to bring some semblance to the pain that the plaintiff is submitted to daily.

Facts:

9. The plaintiff injured his leg while being imprisoned at Stateville C.C. and deserves to be provided adequate medical care.
10. Medical records are solid in the recommendations from outside hospital that plaintiff only recourse is to provide this surgery.

Exhaustion of Internal Remedies:

11. All grievance procedure has been exhausted and appeals have been denied because of the misleading acts of the defendants.

Wherefore, the plaintiff, Melvin Centeno, prays that this Court order defendants immediately to arrange for plaintiffs surgery, and award damages sufficient to compensate him for the pain he has suffered and the exacerbation of the injury to his left knee and award his costs for the prosecution of this suit.

By signing this Complaint, I  
certify that the facts stated in  
this Complaint are true to the  
best of my knowledge, information  
and belief. I understand that if  
this certification is not correct  
I may be subject to sanctions by  
the Court.

SIGNED THIS 14TH DAY OF JULY OF  
2008.

A handwritten signature in black ink, appearing to read 'Melvin Senteno', is written over a horizontal line.

Melvin Senteno

Reg.# K72719

P.O. Box 112

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